

# **EXHIBIT**

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## Office of the Attorney General Washington, D.C. 20530

October 16, 1997

### MEMORANDUM FOR ALL UNITED STATES ATTORNEYS

FROM: THE ATTORNEY GENERAL  
SUBJECT: International Extradition

The ease in world travel and communications, combined with the expansion of our jurisdiction to prosecute persons who prey on U.S. citizens and interests from outside the United States, have rendered your need to obtain the international extradition of fugitives more important than ever. I am pleased to report that we are enjoying excellent success in this area. Fugitives are being returned to the United States to face justice in greater numbers than ever before. For example, the Criminal Division's Office of International Affairs (OIA) reports that in 1996, 186 international fugitives were returned to this country for prosecution or service of sentence.

The preparation of timely, high quality supporting documents by the prosecutors and agents in your districts constitutes one important reason for this success. I have heard repeatedly, both from OIA, and from my overseas counterparts, that you are doing a wonderful job putting together extradition packages which are both clear and comprehensive.

I have been particularly gratified to learn that, when necessary, you are willing to "go the extra mile" by preparing extradition documents which include more than the bare minimum called for in the applicable treaty, and which are crafted to meet the special evidentiary or authentication requirements contained in the domestic laws of our treaty partners. Moreover, when necessary in provisional arrest cases, you are prepared to draft, translate, and submit those documents to OIA well before the treaty deadline.

Your willingness to make these extra efforts is paying off. For example, earlier this year, Justo Pastor Perafan-Homen, a Colombian national wanted in the Eastern District of New York (EDNY) on continuing criminal enterprise and other serious narcotics trafficking charges, was located in Venezuela. Through OIA, the prosecutor in EDNY was able to arrange for a request for provisional arrest to be submitted to Venezuela the very same day. In addition, after learning that Colombia had requested Perafan-Homen's deportation from Venezuela only hours after we submitted our provisional arrest request, EDNY and OIA were able to prepare the full set of extradition documents, arrange for their translation into Spanish, and deliver them to Venezuela 8 days later. As a result, Venezuela honored the U.S. request, and Perafan-Homen was returned to this country by the Drug Enforcement Administration's plane within just over a month.

Of course, I realize that successful international extraditions are the result of hard work both in the field, and at Main Justice. Please be assured that we in Washington will continue to do our part to assist you in the rendition of fugitives.

On a policy level, I remain committed to convincing governments around the world to extradite their citizens-- and I am pleased to report that we are experiencing considerable success in this area. For example, in 1996, for the first time ever, Mexico utilized its discretion in "exceptional cases" to extradite two of its citizens to the United States. In addition, in 1996, a new extradition treaty providing for the extradition of nationals for serious offenders entered into force between the U.S. and Bolivia. Just this past summer, the U.S. and Argentina signed a new extradition treaty which mandates the extradition of nationals. And several other civil law countries in the hemisphere either have or are considering abandoning their outdated opposition to the surrender of nationals.

Finally, on a practical level, OIA remains ready and willing to offer advice and assistance at every stage of the international extradition process. Please continue to reach out to the country experts in that office.

I look forward to continued joint efforts to ensure that there truly is "nowhere to hide" for today's international fugitives. Thank you, and keep up the great work!